

Genocide at Nuremberg[1]

[Mark Turley](#)

This is the site of the infamous Belsen Concentration Camp liberated by the British on 15th April 1945. 10,000 unburied dead were found here. Another 13,000 have since died. All of them victims of the German New Order in Europe and an example of Nazi Kultur. [2]



Sign erected by the British liberators outside Bergen-Belsen. They burned the camp down in May 1945 while still combating a raging typhus epidemic. Photo circa 1945: Unrestricted access.

The genocidal underbelly of Nazism, most of which is now called the Holocaust, was outlined before the IMT in three main ways. Firstly, the Euthanasia *programme* (otherwise known as T4) [3], secondly, the camp system, accompanied by its murder weapons; gas chambers and vans and thirdly through the *Einsatzgruppen*, the teams of SS who followed behind the regular army on Barbarossa, wiping out civilians as they went.

One of the most startling facts, to the modern eye, regarding the treatment of these Genocide claims by the Nuremberg prosecutors, is that in their drawing up of the indictment and indeed in the playing out of the trial in general, they seemed to give them comparatively little coverage. The prosecution case instead seemed to revolve around the charge of Crimes against Peace. This is problematic to explain.

It has been suggested that the Allied commanders felt guilt at their own lack of intervention. Laurence Rees, the British historian, promoted this view, 'If they were exterminating British prisoners of war, do we seriously think that we wouldn't have done all we could to stop it?' He wrote. Rees believes that as the Allies of the time avoided it, we must now address the question of 'why the Allies failed to do more to save the Jews from Nazi persecution.' [4] It would not require an enormous leap of cognition to suggest that such an attitude, if it existed, would have filtered down to the legal team at Nuremberg.

Such an explanation would be entirely unsatisfactory, however. If the Allies had felt in some way complicit in this crime and wished to brush it under the carpet, then surely it would not have been mentioned at all. The fact that the Holocaust did come up, in some form, in the indictment, but was a secondary issue, suggests other possibilities.

One of those is, of course, controversial, namely that the importance placed upon this great crime and perhaps even our view of the scope of it, has grown, for various reasons, since Nuremberg. This seems impossible to those of us below forty, who could be forgiven after switching on 'The History Channel', or reading the plethora of literature still devoted to it, (as this article was being written, three of the top-ten bestselling non-fiction books in Britain were about Auschwitz or other aspects of Nazi Jewish Policy) for thinking that the Holocaust was the defining event of the 20th century.

The view that Holocaust history has snowballed, gathering momentum and prominence, rather like a successful PR campaign (and largely for decidedly suspect reasons) was famously described by Norman G. Finkelstein in his provocative work, *The Holocaust Industry*. 'Until fairly recently,' he wrote, 'the Nazi holocaust barely figured in American life. Between the end of World War Two and the late 1960s, only a handful of books and films touched on the subject.'^[5] He went on to state that, 'everything changed with the Arab-Israeli war. By virtually all accounts, it was only after this conflict that the Holocaust became a fixture in American Jewish life.'^[6] A corresponding view was provided by Donald Bloxham, who wrote '...for decades the murder of the Jews impinged hardly at all on the post-war world.'^[7]

Michael Marrus, a celebrated academic who has written about Nuremberg, (but only within the greater context of his main career focus of Jewish history)^[8], accepts that it did not receive top-billing at the trial. 'The Holocaust was by no means the centre of attention' he wrote, 'Information about it easily could be drowned in the greater flood of crimes and accusations.'^[9] He struggled to explain this and settled eventually on an argument based on 'the American leadership's desire to justify the war to the United States public' as a result of which 'officials in Washington accented the first count against the accused, the common plan or conspiracy.'^[10] Marrus provided a quote from Jackson to support the USA's backing for the Conspiracy charge above all others, but the quote mentioned nothing about popular support among the American public. As there are no other sources referenced in that section of the article, it would seem to be the case that Marrus is postulating. Unfortunately, as is so often the case with guesswork, this does little other than demonstrate his own subjectivity. He omits the fact that it was the conspiracy charge that had made the trial possible in the first place. Without the astute creativity of Bernays, it is unlikely that the trial would have happened at all, in the form it eventually took. It is only natural therefore for Jackson to emphasize the point of law on which all the others hang. As the leading force behind the trials, he had to demonstrate that his creation was legitimate. Accentuating the conspiracy element was the only way to do this – if the conspiracy charge had no credibility, then neither did the IMT, or himself. If, on the contrary, justifying entry into the war to the American public had, as Marrus supposes, been Jackson et al's prime motivation, surely the publication of the Nazis' genocidal actions would have served the purpose admirably. The between-the-lines subplot to Marrus' article is, of course, that this would not have convinced Joe America of the justness of the war because of the prevalence of anti-Semitic views across the Atlantic. The Germans' territorial demands of other Northern Europeans were a far more compelling argument to the average Yankee than six million murdered Jews. Such argumentation forms the basis of a sizeable chunk of what is called 'Holocaust Studies,' a field populated with subjective individuals and that is 'replete with nonsense, if not sheer fraud,'^[11] according to Finkelstein.

Conveniently, within the very same article, Marrus readily exposes his personal bias. On page nine he launches into an overtly judgmental description of the leader of the World Jewish Congress, calling the figurehead of early 20th Century Zionism and eventual first President of the State of Israel 'the venerable Chaim Weizmann'. Either Marrus is very much an individual who knows on which side his bread is buttered or he may just as well have subtitled his article 'I am a Zionist sympathizer'. The fact that such a respected historian as Marrus feels able to display this kind of brazen subjectivity when writing on this topic is testament to everything that is currently wrong about the academic approach to it.

The substantial evidence for genocide before the IMT came from the Soviet government's 'Statements on Nazi Atrocities' and the testimonies and affidavits of five former members of the regime, Erich von dem bach Zelewski, Otto Ohlendorf, Dieter Wisliceny, Wilhelm Hoettl and Rudolf Höss. There were also eyewitness statements from camp survivors and Graebe's affidavit regarding the *Einsatzgruppen*.

From these, two linked claims were established. The first was that the Nazis were generally brutal towards all civilians within their area of occupation. Such claims are common when one country occupies another. In fact, historically, there are few occupations where such claims have not been made (Germany's 'occupation' of Austria being one). The second was that Jews in that area were singled out for treatment even more brutal than everybody else. In this way, the skeleton of the Jewish Holocaust was put together.

The problem that we have at the IMT is that both claims were forcibly promoted by the Allied powers and others prior to trial as part of their propaganda efforts. They could not be said therefore to have emerged through the evidence. They were already prevalent and evidence was produced to substantiate them. Significant parts of those claims – the existence of homicidal gas chambers, [\[12\]](#) for example – were never questioned by the court. They were regarded, as per the Charter, as 'facts of common knowledge.' We know this because nobody tried to disprove them. When it is remembered that every single defendant denied knowledge of homicidal gas chambers, yet not one lawyer tried a defense gambit based on questioning their existence, despite the fact that no physical evidence was provided for them at all, the reality becomes clear.

The number of victims, usually fudged to six million, which has remained broadly consistent within the dominant narrative ever since, had an interesting genesis. Richard Overy stated that 'the World Jewish Congress supplied the tentative figure of 5.7 million dead and this was used by the prosecuting teams in drawing up the indictment.'[\[13\]](#) Overy referred here to a meeting between the WJC and Jackson in New York on June 12th 1945. By reading the minutes of the meeting we see that not only did the WJC suggest that figure, based on estimates drawn from 'official and semi-official sources', but stated that, 'the indictment should include leaders, agencies, heads of government and high command... Any member of these bodies will be considered guilty and subject to punishment, unless he can prove he was not a member or became a member under duress.' In addition they also emphasized that, 'The Jewish people is the greatest sufferer of this war' and they 'stressed the magnitude of the Jewish tragedy which transcends the sufferings of other peoples.'[\[14\]](#)

What is remarkable is that established, respected historians like Overy can make this connection and then simply pass by without further comment. They do so through fear of being labeled 'anti-Semitic'. It ought to be remembered that during the time with which we are concerned, the World Jewish Congress was the planet's foremost Zionist organization and was heavily engaged in the process of recruiting Jews

from Europe to populate Palestine, which had, by that point, been more-or-less obtained from the British, following prolonged negotiations since the Balfour agreement of 1917. You do not need to be involved in the polemics of 'memory' versus 'denial' to see that the WJC would have had a clear motive to propagandize and over-emphasize the treatment of European Jews at the hands of the Nazis.

Indeed, it is perfectly apparent, to anyone prepared to look at the subject with both eyes open, that the large Jewish organizations had been making exaggerated or even contrived statements of this kind for many years, going back to the time before the Nazis had even existed.

Following the 'World Conference of Jews' in 1933, the American delegate, leading Zionist, Samuel Untermyer, addressed the American nation on WABC radio with regard to Germany and called for 'the nations of the earth' to 'make common cause against the... slaughter, starvation and annihilation, by a country that has reverted to barbarism, of its own innocent and defenseless citizens without rhyme, reason or excuse...' He went on to describe the Nazis' 'cold-bloodedly planned and already partially executed campaign for the extermination of a proud, gentle, law-abiding people' and called for a 'holy war' against a German nation which was, in his words, 'a veritable hell of cruel and savage beasts.'^[15] Untermyer's purposely alarmist speech was a continuation of similar propaganda and a follow-up on statements and mass demonstrations made by the World Jewish Congress in the same year, as evidenced by a Daily Express article written by a 'special political correspondent', which began with the following sentence. 'All Israel is uniting in wrath against the Nazi onslaught on the Jews in Germany.' Its headline was 'Judea declares war on Germany!' ^[16]

Yet 1933, the year when Hitler assumed control, is not as far back as such analysis can be taken. In an article entitled, 'The Crucifixion of Jews must Stop!' which appeared in a magazine called 'American Hebrew,' a former governor of the state of New York, Martin H. Glynn described the plight of Eastern European Jews as a 'catastrophe in which 6 million human beings are whirled toward the grave...' He even went as far as to describe this as a 'threatened holocaust of human life.'^[17] His article was written not as a comment on events in Nazi Germany, but about anti-Semitism in Russia, in 1919, just after the end of World War One, thirteen years before Hitler would form any sort of government.

Even before then, references to the suffering of the six million had been made by Zionist figureheads. As early as 1900, while the Zionist movement was still in its youth, statements which sound startlingly similar to those later made about Nazi Germany were already being declared. Rabbi Stephen S. Wise, later to become leader of the American Jewish Congress and at the time chairman of the Provisional Zionist Committee spoke at a Zionist gathering. He talked of the suffering of Jews in and around Russia, describing them as 'six million living, bleeding, suffering arguments in favour of Zionism.'^[18]

It is both striking and challenging to the historian to read these kinds of articles and statements. It is not good enough to simply write off such pointed historical evidence as being of interest only to right wing extremists or conspiracy theorists. That is, in layman's language, a cop-out. History has to look openly at all the evidence and then attempt to provide a narrative that best fits that evidence.

Two things become clear to anyone prepared to think through the implications. Firstly, Nazi/Jewish propaganda was not a one way street. It is well known and much documented that many National Socialist figureheads made anti-Semitic statements and speeches and the party involved itself in various other forms of anti-Semitic propaganda. However, what is far less well known is that this was returned in kind by some Jewish organizations and Zionist groups who distributed disinformative propaganda

about the Nazis and Germany. It must also be acknowledged that some of these organizations wielded considerable influence in Allied circles, particularly in the USA and it was these organizations who were responsible for providing the first reports of Nazi anti-Jewish actions. Bearing in mind the anti-Semitism inherent in the Nazi program, overtly expressed by the party since its emergence on the political scene, the opposition of Jewish organizations to the regime was understandable, but this does not make their propagandistic claims true. History has to apply to them the principles of rational criticism.

Reflecting upon the authors and speakers of these statements, it is plain that they were made to further the cause of Zionism. That is not to suggest that there was no truth in them at all. The Nazis clearly discriminated against Jews from the earliest days of the regime and engaged in anti-Semitic rhetoric and intimidation even before achieving power, but it is also clear that this anti-Semitic activity did not approach the extremes that were suggested. Untermeyer's comments and the Daily Express article mentioned above were made nine years before the Wannsee Conference, two years even before the Nuremberg Laws were passed and only months after Hitler had taken control, yet already described a process of extermination and annihilation which history now tells us did not begin until 1942. Would one modern day, establishment historian agree with their claims? Similarly, Glynn's article demonstrates that the figure of six million victims and even the word 'holocaust' were in use in the circles of Zionist and Jewish speech and writing while Nazism was still little more than a notion in the minds of a few ex-soldiers in Munich bars. Not only that, but as the Wise quotation shows, the six million figure had been touted before, going back to the turn of the century.

Simply and plainly stated, this means that the belief in the six million figure and the concept of the 'holocaust' were not formulated, as most people believe, from analysis of events in the Nazi sphere of influence during World War Two, but evolved from Zionist propaganda dating back for half a century. What makes this awkward for historians, is that the logical follow-through from this analysis would then be to doubt the information provided by the Zionists about Nazi Germany. After all, they had been making similarly alarmist claims, without foundation, for many years. This is dangerous territory for history, or at least, establishment history, as it would cast a shadow over several of the major pillars of the Holocaust narrative, whose origin was from the Jewish organizations. Yet rather than confront these inconvenient facts, draw conclusions from them and attempt to place them within the wider context of the issue being discussed, Historians prefer simply not to mention them. If they did, they might upset some influential people. Unfortunately this suggests that Historians, on the most part, are cowards.

Clearly, at the very least, caution should have been exercised in adopting the WJCs version of events. Was it not probable that their interpretation would have been influenced by their preconceptions? And what does it suggest about the partialities of the IMT that they would accept figures and adopt trial strategies suggested by such an openly subjective party? Not only that, but the entire community of establishment historians since, have been perfectly happy to accept this six million estimate and use it as the base marker for their own work, as if the WJC were the most judicious and unbiased source possible.

At the trial itself the six million number was evidenced by the testimony of Wilhelm Höttl. (Hearsay evidence in Wisliceny's testimony suggested five million). Höttl worked under Kaltenbrunner in the RSHA and provided an affidavit on the 25th November 1945. The affidavit (doc no. 2738-PS) was read to the court on Thursday 13th December. It was a recollection of a conversation Höttl had with Adolf Eichmann, in which he had apparently suggested the number of Jewish dead to be around six million.

This piece of hearsay was the main substantiation used for the six million figure at Nuremberg. Many courts, in various parts of the world, would not have accepted such evidence as valid. The IMT, however, in keeping with article twenty-three of their charter deemed the evidence to have 'probative value' and so admitted it. If, during the course of the trial it had been corroborated by some other evidence, in particular a German document from the RSHA or the SS, detailing what they were doing, or a memo from one department to another in which the progress of the Holocaust was discussed, then the decision to admit the item would have been justified. But it was not. The six million claim, first suggested by the World Jewish Congress, was upheld by the IMT and included in their final judgment and is still upheld by popular history today, on the basis of an affidavit, obtained by an American interrogator, (Frederick L. Felten), during a time when many such affidavits were obtained by dubious means. The relevant section of the document is transcribed below.

'In the various extermination camps about four million Jews were killed, while a further two million met their deaths in other ways, the greater part through the *Einsatzkommandos*, the SD or through being shot in the fields of Russia.[\[19\]](#)

Two defense lawyers asked for Höttl's affidavit to be stricken from the record, primarily because like so many other affidavit witnesses, Höttl was held in Nuremberg and therefore available for cross examination but not presented.[\[20\]](#) With the benefit of hindsight, we also see that despite the IMT's willingness to accept Höttl's figures and include them in their judgment, Historians have not been so content to repeat them. Raul Hilberg stated that 2.9 million died in the camps and 2.2 million from other means, thereby lowering the total to 5.1 million. Gerald Reitlinger suggested the total Jewish losses to be around 4 million. Others have provided a variety of differing estimates, some of them higher than the IMT's figures. Clearly therefore it is legitimate to challenge Höttl's, or the WJC's numbers otherwise mainstream history would not have done so.

Finally, on the matter of the victim count, there is an obvious question to be raised regarding the interrogations at Nuremberg and other detention centers. If, as it seems clear that we should, we accept that the six million figure had little to do with an attempt to count the actual numbers of Jewish dead, but stemmed instead from the propagandistic statements of Zionist groups dating back fifty years, why did it show up in this key witness statement? Although, in itself, not definitely further evidence of coercion or at least leading questioning, it is otherwise a remarkable coincidence. How does one explain the fact that Wilhelm Höttl just happened to include in his affidavit the exact same number mentioned first by Rabbi Wise in 1900, then by other Zionist figureheads throughout the first part of the twentieth century, even though that number is not thought to be particularly accurate by many leading Holocaust historians today? As we know that the WJC had already suggested the figure to Jackson, it only requires a modest leap of faith to propose that it may, in turn, have been passed on to the interrogators who would have used it to shape their interrogations.[\[21\]](#)

Another huge issue to be aired for the first time before the IMT was that regarding Nazi genocidal language. We are told, by semantically inclined historians like the extreme intentionalist Jeffrey Herf, that the words *vernichtung*, *liquidierung* and *ausrottung* which often appeared in speeches made by Hitler and other leading Nazis, also in articles in *Der Stürmer* in relation to the Jews, had only one meaning. Herf states that the 'public language of the Nazi regime combined complete suppression of any facts about the Final Solution with a brutal, sometimes crude declaration of murderous intent. Two key verbs and nouns in the German language were at the core of the language of mass

murder: *vernichten* and *ausrotten*. These translate as ‘annihilate’, ‘exterminate’, ‘totally destroy’ and ‘kill,’ and the nouns *Vernichtung* and *Ausrottung* as ‘annihilation’, ‘extermination’, ‘total destruction’ and ‘killing.’ Whether taken on their own from the dictionary meaning or placed in the context of the speeches, paragraphs and sentences in which they were uttered, their meaning was clear.’ [22]

This issue, of whether or not these words have unequivocal meanings of murder, or not, has gone on and on and formed one of the central points of argument in the Lipstadt v Irving Trial of 2000. It is, however, a matter easily resolved. All one needs is a German dictionary.

The translation website ‘Babelfish’ provides a useful starting point. On the 18th December 2007, *ausrotten* was translated only as ‘exterminate’. ‘*Ausrottung*’ was extermination. ‘*Vernichtung*’ translated as ‘destruction’ and ‘*vernichten*’ as ‘destroy’. Anybody therefore seeking to verify the claims of the Nuremberg prosecutors and current academics like Herf on the internet would doubtless infer that the claims regarding *Ausrottung* were accurate. In the German language it unequivocally equates to killing. *Vernichtung*, as ‘destroy’, is not as clear – a statement of intent to ‘destroy the Jews’ does not necessarily mean mass murder. Modern paper dictionaries are similar. The Collins Pocket German Dictionary (2nd edition), printed in 1996, provides a decent indicator. The translations it lists for *ausrotten* are ‘to stamp out’ and ‘to exterminate’. For *vernichten* we get ‘to annihilate’, ‘to destroy’.

However, older dictionaries, going back to the time when the events were more contemporary, further muddy the waters. A German/English dictionary printed in Germany in 1955, the Schöffler-Weis Taschenwörterbuch, published by the Ernst Klett Company of Stuttgart, provides a slightly different picture. It gives the following translations of *ausrotten*: ‘to root out’, ‘to destroy’, ‘to extirpate’, ‘to eradicate’ and ‘to exterminate’. For *ausrottung* we get two translations, ‘uprooting’ and ‘extermination’.

According therefore to a dictionary published in Germany in 1955, Nazis discussing the *ausrotten* of the Jews or how the Jews were undergoing a process of *ausrottung*, could have been talking about rooting Jews out or uprooting them. Neither of these terms necessarily have genocidal implications. It is interesting that the literal translation of *ausrottung*, which is ‘uprooting’ as one can tell simply from looking at the word in both languages, seems to have disappeared from the modern dictionaries.

With *vernichten* we get a similar picture. The 1955 German dictionary translates it as ‘to annihilate’, ‘to eradicate’, ‘to do away with’, to wipe out. ‘*Vernichtung*’ is ‘destruction’, ‘annihilation’, ‘extirpation’. Therefore Nazis using these words could feasibly have been discussing ‘doing away with’ the Jews (or ‘destroying them’). Again it is interesting that this most anodyne translation of the term is not to be found in the modern dictionaries.

Even if we accept that these words could only refer to murder, it seems rather contrary to all common sense to be attempting a secret genocidal program against a specific ethnic group while making speeches and writing articles for public consumption, in which you tell anyone who is listening or reading that you are doing exactly that. This is what Herf and others like him seem to be proposing. We therefore find ourselves confronting a problem. The meaning of these words is not as clear as Herf suggests. They could be referring to mass murder, but to determine that, their context would have to be carefully examined by somebody with expertise in German language usage of the period. Furthermore, there would appear to be a choice to make. Either the Nazis were engaged in a genocidal program against the Jews and were happy to have it known, or they wanted it to be a secret. If the former, then the whole argument regarding *sonderbehandlung* (special treatment) collapses, as the narrative

presently holds that it was used as a code word on Nazi documents to keep the Holocaust a secret. If, on the other hand, the Holocaust was meant to be hidden, then the Nazis public use of *vernichten* and *ausrotten* in speeches cannot have referred to physical extermination. They must either have been intended with Streicher and Rosenberg's interpretation of the annihilation of Jewish power, or one of the alternative meanings from the 1955 dictionary, which Herf does not acknowledge even exist.

Very simply, it's one or the other. The guardians of the Holocaust narrative, like Herf, cannot have it both ways. They need to decide whether to drop *sonderbehandlung* or *ausrotten* and *vernichten*. In the opinion of this author, the evidence from the trial would point to the latter.

Although *sonderbehandlung* may have had other uses, as Kaltenbrunner explained, several witnesses, including at least two defendants (Keitel and Kaltenbrunner) confirmed that it generally meant killing.

In discussing the Holocaust further, something else must be made clear, which those who have read popular history on the subject will not necessarily have considered. Like the Industrial Revolution or the Renaissance, or the Civil Rights Movement, the Holocaust is a construct. None of these events happened in the sense that the majority of people understand them to have. Their grandiose titles glibly encompass a multitude of incidents, enacted for complex and conflicting reasons over long periods of time, which in many cases bore little or no relation to each other. Lithuanian partisan fighters killed during a skirmish with the SS near Kaunas in 1942 have very little in common with a Czech forced laborer at the Buna rubber plant in Monowitz or an elderly, bourgeois Austrian sent to Theresienstadt, for example. It is history and history alone that has grouped them all together and titled them.

As a result of this historical treatment, the title itself has become symbolic and invested with meaning through simplification and popular misunderstanding. The Holocaust has come to exist as much as a fable as a scholarly researched and documented occurrence. Authors like Nobel laureate Elie Wiesel do little to help this situation, by writing books which hover between classification as fiction or memoir. Some people read 'Night' and believe in it as an accurate record of life in a concentration camp. Others, who question some of its more bizarre details are told it has been partially fictionalized. In other words, anything goes, all bases are covered. As a fiction, the work is beyond criticism and if some choose to treat it as fact, they are not dissuaded from doing so. From the birth of the narrative, the Holocaust has existed like this – in rational, scientific, historical discourse but also in a feverish, victim obsessed, fantasy world where even the most absurd claims are accepted. The recent example of Misha DeFonseca, who told a sorry tale of surviving the Holocaust as a child by walking five thousand miles across Nazi occupied Europe under the care and protection of a pack of wolves demonstrates this. She was initially supported by several luminaries, including Elie Wiesel, who described her book as 'very moving' and was invited to speak at a number of universities, before finally being outed as a fraud. She was merely the latest in a procession of similar cases. Within the unhealthy, noncritical culture that surrounds the Holocaust, distortions, exaggerations and manipulations are commonplace as historians and writers seek to make that which they are explaining easier for their readers to understand. In choosing to highlight certain aspects of the event and minimalizing or even ignoring others, which all writers must do, to avoid their works being exhaustively long, historians usually demonstrate nothing more than their own subjectivity; their own assumptions in approaching the issue formed through their own set of personal biases. Never has this been truer than in relation to the Holocaust at Nuremberg.

It was first presented, in piecemeal form, by the victorious powers as a (minor) part of the prosecution case. Following other trials, throughout the forties, fifties and sixties, it has since been seized upon by academics, often with clearly identifiable agendas, to the point where it has become a field of study in its own right and a welter of media output has developed around it.

The base of evidence on which the obelisk of Holocaust Studies has been constructed is entirely Allied generated. What is more, the primary sources of opinion and analysis regarding that evidence (and how it was gathered) are also entirely Allied generated. As a result the layers of secondary work that have been written since (with very few exceptions) have displayed only the Allied viewpoint, gaining strength with each wave of new 'research' due to its lack of challenge or counter-narrative, until it eventually became a grotesque caricature of itself as academics like Daniel Goldhagen projected their own points of view and refracted them through this giant, constructed prism of the Holocaust. If you could go back through time and approach Telford Taylor or Jackson, or Thomas Dodd at Nuremberg and ask for their thoughts on the Holocaust, they would have little idea what you were talking about. What we must face and accept is that the Holocaust has been fashioned since then.

The 1945-6 reality is that not only was the Holocaust a minor feature at Nuremberg, but with a few notable exceptions, the evidence that was presented for it was largely of insubstantial nature – either contained in affidavits or eyewitness testimony, much of which was in the form of hearsay. That is not to suggest that 'it' (whatever 'it' may be defined as) did not happen, it is clear that terrible civilian atrocities occurred, but simply that anyone who attempts to claim that the modern Holocaust obelisk was erected in any way during this first great trial at Nuremberg is demonstrating little other than their wearing of a large pair of historical blinkers.^[23] At the Trial of the Major War Criminals before the International Military Tribunal (where one would have thought it would have had a prominent role to play) it could not be said, in any reasonable way, to have been factually demonstrated through evidence. Despite this it was stated in the IMT judgment in much the same form in which Historians describe it today. Its component parts had been deemed by the tribunal to be 'facts of common knowledge'.

The claim that no Nazis denied the crime, which is a common popular belief, needs also to be emphatically addressed. The stark reality is that in one way or another, all of them did. Richard Overy wrote 'nothing was denied more vehemently in the interrogation rooms at Nuremberg than the persecution of the Jews.'^[24] By careful analysis of the trial, a more complete picture emerges. The defendants admitted to anti-Jewish laws, anti-partisan activity (which would have included actions against Jews) and a deportation and resettlement program, but not one of them admitted to first-hand knowledge of an extermination plan or devices of mass execution. A few Nazi witnesses did, mainly via affidavits. Bearing in mind what has to come to light about Allied interrogation methods, we must adjust our views of such witness statements and affidavits appropriately.

The closest we came to any small admission of knowledge from defendants was Göring with his 'isolated perpetrations' and Kaltenbrunner with his Himmler 'admitted it' statement. Even with these, the latter is still nothing more than a piece of hearsay. As neither of these comments were followed up by probing enough questions (as one might have expected) we shall never know what these two men actually knew to have taken place and this leads us to a very important point – their narrative, which potentially may have challenged the Allied one, has been lost forever. All we are left with is the version provided by the

Allies, their carefully selected documents, their eyewitnesses and their confessions stained with the blood of those who signed them. If we are being kind, this can only be described as 'sloppiness'.

The picture that therefore emerges from straightforward analysis of evidence presented at the trial is one whereby suffering, particularly from hunger and disease, was common in Nazi occupied territory, as shown by the report written by Hans Frank, for the attention of Hitler, referenced by Lieutenant Baldwin in his presentation. The debate over how much of this was due to Nazi policy or was simply a symptom of war (or a combination of both) is worthy of discussion, but that will not be joined here. We also know that orders were passed to eliminate those in occupied areas deemed to be dangerous to the Reich, such as intellectuals, political leaders and obviously, partisan fighters. Such policies, when set within the context of the war make sense, despite their callousness. In addition we also know that Jews had been singled out by the regime as the arch enemy. It seems this was for three reasons. Firstly, a long-standing anti-Semitism, whereby the Nazis resented the Jewish domination of German life in certain spheres and wished to depose them from their alleged elite positions. Secondly, because of the repeated agitation of Jewish organizations and the public declarations of leading Zionists and international Jewish figureheads like Untermyer and Weizman, who called for boycotts and war against Germany from the earliest days of the regime and thirdly, because once hostilities had begun, Nazis believed Jews to be forming a substantial part of the partisan and resistance movements. As a result of these three reasons, a series of policies were enacted, starting in peacetime with discrimination and exclusion from German life. In wartime, with different pressures upon the Reich, the policies became more draconian, resulting in forced deportation and ghettoization. Most draconian of all and admitted to by several witnesses, was that the *Einsatzgruppen*, during their anti-partisan activities, often targeted Jews, because of their alleged partisan links. The most striking evidence for this was presented in Rosenberg's case with the letter from Kube to Lohse in which it was claimed that 55,000 Jews of White Russia had been shot, or by the testimony of Ohlendorf, in which he claimed his squad had accounted for 90,000 victims. (Ohlendorf did not stipulate that the victims were solely Jewish, mentioning communist 'commissars' also.) Again, despite the brutality of such actions, when placed within the context of the Russian front, the biggest theatre of war in human history, a vast area full of woodland and villages crawling with hostile civilians who constantly attacked German soldiers and supply lines, as stated by Jodl and Frank, one can see the logic. A wartime ethic of kill or be killed saves little room for sentimental ideals of honor.

Further even than this, however, we have the allegations that the Nazis instigated a plan to kill all the Jews of Europe 'The Final Solution' and used homicidal gas chambers to do so. Yet we see that these two claims were only really evidenced by the affidavits and testimonies of Wisliceny and Höss, (and Ohlendorf to some extent) which have large question marks hanging over them as shall be explained below.

It is worth pausing here for a moment to highlight one of the more puzzling discrepancies at the trial. With regard to the most serious claims, we see a very clear pattern in terms of the responses of Nazis asked to provide evidence. The senior officials and officers - the defendants, all denied knowledge of the Holocaust. However, several more junior Nazis provided very detailed testimony regarding the Holocaust either on the stand or in the form of affidavits. Thus we see that the narrative which Historians developed and used to construct the Holocaust obelisk did not begin with the words and confessions of Göring, Streicher, von Ribbentrop or Kaltenbrunner, but unknowns and underlings like Wisliceny, von dem Bach-Zelewski, Ohlendorf and Höss. So why should second and third tier Nazi operatives sing their hearts out for their Allied captors, while their superiors maintained a veil of

silence? Richard Overy, in a nonsensical piece of reasoning, conjectured that 'it might well be thought that they were keen to make a full confession so that their bosses would not get away with persistent denial.' [25] Why on earth any German in Allied hands would deem it sensible to admit to these things, knowing the effect it would have on their own immediate future, Overy does not care to explain. Is he suggesting we believe that the junior Nazis in interrogation succumbed to an attack of conscience and told the truth, while their superiors did not? Or is it that these young officers vindictively wanted their former leaders hanged, for some reason? Either way, such reasoning can only ever be conjecture. We could just as easily suppose that the defendants knew that to admit to such things would mean imminent death whereas those not actually yet on trial might hope that saying what their interrogators wanted to hear would secure them some form of future leniency.

In addition to this discrepancy there are also issues contained within the statements of these Nazi confessors, which history has never managed to iron out. Ohlendorf, in his testimony, stated that the first order to begin killing the Jews was given by Himmler in May 1941 and that his *Einsatzgruppen* unit began acting upon this in the fields of Eastern Europe. However, Wisliceny claimed to have held the written order in his hand and said that it was dated April 1942. One of them, therefore, has to be wrong. Höss, on the other hand, claimed the order to kill Jews at Auschwitz came sometime in the summer of 1941, although many historians now claim he meant 1942, to tie it in with the Wannsee Conference in January of that year. In other words there is a complete lack of consensus among the three with regard to the most fundamental specifics.

It is possible therefore, as argued by some, that there was no one order for the extermination of the Jews and that there were several orders, given at various times, to various organizations. Yet if this were true it would rather cast a shadow over our understanding of the 'Final Solution'. This was meant to be a state implemented policy of racist genocide, not piecemeal, regional actions instigated in the heat of war. Beyond any different interpretations, what is clear is that the evidence provided by these witnesses, although corroborative as to the general existence of an order, are otherwise completely contradictory, to the extent that it has to be questioned whether they are referring to the same thing. The idea that these witnesses' stories support each other simply does not stand up. What we find therefore, is that on this most important point, a central plank of the Holocaust narrative for all these years, all the Trial of the Century managed to provide were a few contradictory statements, which historians have since rationalized to match their own assumptions.

Despite this, it is undeniable that terrible civilian atrocities occurred. Shootings, starvation, disease, forced labor, loss of property, ejection from homes, separation from loved ones, all of these combine to create a horrific picture. Many non-Jews also suffered these kinds of horrors, but it would certainly be fair to state that the Jewish population got the worst of it. In some of the cases in which death was caused, people were directly killed by Nazi actions (by shooting, for example), in others indirectly. With regard to the latter, deaths were caused by gradual wearing-down, by people having been pushed to the fringes of society and shorn of the ability to support or fend for themselves. A resident of a walled ghetto, for example, cannot go out foraging for mushrooms in the woods if food runs out. When faced with extreme deprivation and crisis, such people simply died. However it is highly debatable whether this can truly be regarded as 'extermination'. If it is, then a case could be made that many, many millions of Europeans were exterminated because of actions of the Allies, as shall be discussed shortly. Indeed, the idea that the Nazis hatched a plan to murder all the Jews of Europe and these various methods, in addition to gas chambers were used to facilitate such a plan is not borne out by the trial. Not one

defendant admitted to it. Not one original document, even of the defendants' private correspondence or diaries was produced to evidence it. In some cases, like Frank's, many volumes of such diaries or correspondence were combed for references to these things, unsuccessfully. To maintain faith in the regular Holocaust narrative therefore requires a belief in a kind of conspiracy. One must assume that these twenty-one defendants, who were captured individually, kept in solitary confinement and interrogated constantly, all somehow colluded to admit to knowledge of the same things and deny knowledge of the same things. This showed itself in both interrogation and questioning in the courtroom and private writings and correspondence written contemporarily. Further to that point is that the only evidence which supported these most serious claims was that purposely produced or gathered by the Allies for the trial, generally through interrogation of more junior Nazis or eyewitness affidavits, not that which was produced contemporarily by those involved in the events. This division is similar to the 'witting' and 'unwitting' evidence [26] described by Arthur Marwick in his influential work 'The Nature of History'. Why the 'witting' evidence gathered by the Allies should provide a different story to the 'unwitting' evidence provided by contemporary documents would perhaps suggest that the witting evidence was tainted. Knowledge of the methods of Allied evidence gathering makes such a suggestion highly plausible.

In addition to that, it is important to note that the gas chamber claims were just one of several similar claims made during the final years of the war and just as we have Höss' affidavit or the Soviet Statements as evidence of gassing, we also have other very similar affidavits or documents as evidence of some of these other claims. For example, IMT volume thirty-two, which contains interrogation and other documents entered in evidence for the trial contains a document entitled 'Charge Number Six of the Polish Government Against Hans Frank' authored by a Dr Cyprian. The document alleges that:

'The German authorities acting under the authority of Governor General Hans Frank established in March 1942 the extermination camp at Treblinka, intended for mass killing of Jews by suffocating them in steam-filled chambers...The best known of these death camps are those of Treblinka, Belzec and Sobibor in the Lublin district. In these camps the Jews were put to death in their thousands by hitherto unknown, new methods, gas and steam chambers as well as electrical current employed on a large scale...' [27]

It is arguable, of course, that the Polish report simply confused 'gas' with 'steam', however such reasoning would fail to account for the fact that later on in the same document, it explains the building and operation of these steam chambers in considerable detail. 'The second building consists of three chambers and a boiler room' it says, 'The steam generated in the boilers is led by means of pipes to the chambers...' [28]

The other bizarre claim contained in that report, that of using electricity to murder inmates at the Belzec camp, also made by the Soviets in their 'Statements on Nazi Atrocities', was given enough credence to be referenced by Lieutenant Colonel Griffiths-Jones during his cross-examination of Streicher. 'Many details are also given about the use of poison gas, as at Chelm, of electricity in Belzec...' [29] He said.

By the time the trial had been concluded and the judgments were drawn up, it seems the idea of steam chambers at Treblinka or death by electricity at Belzec had been quietly dropped, in favor of the universal gas story. Yet both were held in evidence by the IMT on Polish and Soviet documents, accepted in toto via the principle of 'judicial notice' in accordance with article 21 of the Nuremberg Charter, on which many of the most infamous claims were so luridly made. As a final comment on the

above analysis, it should be pointed out that it is not possible to prove or disprove the reality of the homicidal gas chambers based solely on the evidence presented before the IMT. As a starting point, each of the camps denoted as extermination centers were later to have trials of their own. Thus there was an Auschwitz trial, a Treblinka trial, a Majdanek trial and so on. What is clear, however is that based on the treatment of this issue by the IMT, there is scope for reasonable intellectual curiosity. Big questions are raised.

None of this is intended to belittle the anguish of any civilian communities that suffered during the war. But sympathy with their suffering is not mutually exclusive with a belief that their suffering has been propagandized for political purposes. An interesting exercise, for comparison, is to set the Holocaust to one side and consider the other 60 million or so deaths of World War Two, for a moment. According to various sources,[\[30\]](#) 47 million civilians died in the war. Of these, 20 million died due to war-related famine and disease. This is worth taking a few moments to consider. One is faced with the idea that inmates in concentration camps and other civilians in German-occupied areas, especially Jewish ghettos, starved, according to the Nuremberg prosecutors, because of a racist plan to exterminate. Yet millions of other Europeans starved at the same time and in similar areas simply because huge wars are a horrible mess and the prevailing conditions were such that destitution, hunger and homelessness were rife. Of course it could be argued that the 'mess' in Nazi occupied areas was the fault of the Nazis themselves, but one cannot help but see a double standard.

When considering the war's other civilian deaths, it must also be considered how many were caused through acts which could reasonably be described as 'atrocities'. More than 200,000 Japanese died in the blasts at Hiroshima and Nagasaki, for example, countless others during the post war period from radiation sickness and other harmful effects. In their own report on the Japanese bombing campaign, the US Air Force stated that 'total civilian casualties in Japan, as a result of 9 months of air attack, including those from the atomic bombs, were approximately 806,000.'[\[31\]](#) They estimated that at least 330,000 of those died and that this was greater than Japan's military death toll. The Allied bombing campaign of Germany, including the White Phosphorous horrors of Dresden and Hamburg yielded similar results. According to AC Grayling, roughly 600,000 German civilians were killed by the deliberate civilian bombing of the RAF and USAF and the value of this tactic to the Allied war effort was questionable.[\[32\]](#)

Bearing in mind what also happened to German civilians and POWs under Allied occupation, post war, and indeed the many other examples of genocide from ancient to recent history, the question to ask is what makes the Nazi treatment of Jews 'unique'? And I am aware that this is not an original question. The 'uniqueness' of the Holocaust is an issue addressed by Marrus, Finkelstein, Davidowicz and virtually every writer who has written about it. Often we are told that its 'uniqueness' lies in the fact that a single group of people were chosen for extermination, based on nothing other than their ethnicity. But such statements are questionable in some aspects and demonstrably false in others. Firstly we are faced with the problem that History is yet to deliver definitive evidence regarding the decision to exterminate. The Führerbefehl (Hitler order) simply does not exist.[\[33\]](#) Even extreme intentionalists like Lucy Davidowicz admit so, saying, 'Though the abundant documents of the German dictatorship have yielded no written order by Hitler to murder the Jews, it appears from the events as we know them now, that the decision for the practical implementation of the plan to kill the Jews was probably reached after December 18, 1940 – when Hitler issued the first directive for Operation Barbarossa – and before March 1, 1941.'[\[34\]](#) It is worth noting here that Davidowicz' estimates would perhaps tie in with the date given by

Ohlendorf and the one originally provided by Höss (which many historians have since claimed to be a mistake) but not the one provided by Wisliceny.

As a result and as described by Davidowicz above, historians searching for causes and triggers have played connect-the-dots with a whole bunch of documents and trace evidence – ‘the events as we know them now’ – and provided various theories from Hilberg’s famous ‘mind reading’ conclusion, to Daniel Jonah Goldhagen’s objectionable thesis of innate German anti-Semitism. Yet also, it must be thrown into the mix that Nazi racial policy was not just about Jews. In actuality, it wasn’t really about Jews at all. Nazi racial policy was focused on the German people and German living space. This was at the exclusion of all others. Jews, through their alleged positions of power were seen as a major opponent to be dealt with and also, as a sizeable minority within the ‘living space’ were an obstacle to Nazi ambitions, yet so were Slavs, so were Poles and so were other Eastern Europeans. Indeed, in chapter thirteen it was shown that the Russian prosecution presented evidence at the trial suggesting a proposed genocide of thirty million Slavs. Perhaps, if a study was made of numbers of Slavs who starved in the Nazi sphere of influence, Slavs in camps, Slavs recruited as slave laborers and numbers of Slavs killed in anti-partisan actions, we could construct a Slav Holocaust from the available evidence. Obviously, we would not have a Führer order for that either, although it seems that for some, that doesn’t matter. Perhaps we could use the ‘events as we know them now’ to construct a Polish one, or even a French. [35] But being able to construct something does not demonstrate a reality. It demonstrates the human ability to construct things.

In the final analysis then, it must be conceded that what, apparently makes the Jewish Holocaust ‘unique’ are the aspects of it that, at Nuremberg at least, were the least satisfactorily proven. The plan to rid the world of Jews and the homicidal gas chambers were not evidenced convincingly. When one bears in mind the nature of wartime propaganda and the imbalance and subjectivity of the trial, it is easy to see how such claims were accepted. By categorizing them as ‘facts of common knowledge’ the court decreed that relatively flimsy evidence would suffice. It is history’s job, so far willfully ignored, to pick the bones out of this.

Further to that point, is that even if one starts with the idea that Nazi racism was predominately anti-Semitic in its character, it does not necessarily follow that anti-Semitism alone is a substantial enough motive for a system of industrialized genocide, the likes of which had never before been seen. Overy states ‘if the interrogation transcripts reveal anything, it is the unwritten assumption on the part of the interrogators that anti-Semitic sentiment is a sufficient explanation for mass murder.’ He goes on to say that, ‘the current debate on the causes of the Holocaust revolves about the validity of this assumption.’ [36] However he doesn’t go as far as to point out that it is clearly a ridiculous assumption. Anti-Semitic feeling had bubbled up in numerous countries over the centuries and many had indulged in pogroms for one reason or another, but none of them as yet had seen fit to try to kill off the entire Jewish race or to build bizarre, hellish, extermination centers, elements of which defy possibility. Why should the Germans be any different? The obvious answer, which Overy seems unwilling to state, is that like most other aspects of the trial, the interrogators were starting with a conclusion and then working backwards. The possibility that the camps were not extermination centers using homicidal gas chambers, but normal prison and labor camps in which either prevailing or imposed conditions led to mass starvation and epidemics was not, for the purposes of prosecution, a valid one. This would explain their confusion over camps like Belsen and Dachau, which originally were thought to have been ‘death

camps' and later downgraded. As far as the Allies were concerned the Nazis were genocidal from the beginning and that was that.

It is difficult today, with the construction of the Holocaust obelisk^[37] reaching record heights (we have Holocaust museums in every major city in the western world and educational programs and documentaries constantly made in the name of 'memory'), to see past its sheer enormity. But the fact that those who seek to ask questions of this obelisk, or at least subject it to proper scrutiny, are often shouted down, reviled and even imprisoned, is as clear a demonstration as could be asked for of what Nuremberg really achieved.

Notes:

- [1] The term 'Genocide' was first coined by Raphael Lemkin, a Polish/Jewish lawyer, following the events of World War Two. He proposed a Convention on the prevention and prosecution of genocide, which was accepted by the UN in 1948.
 - [2] Overy, *Interrogations*, p.183. Sign erected by the British liberators outside Bergen Belsen. They burned the camp down in May.
 - [3] Strictly speaking, the T4 programme is not usually included as part of the Holocaust, as it was not racially motivated.
 - [4] Rees, writer and producer of BBC's 'Auschwitz' series quoted in 'Why Didn't the Allies Bomb Auschwitz' by Matthew Davis <http://news.bbc.co.uk/1/hi/world/europe/4175045.stm>
 - [5] Norman Finkelstein, *The Holocaust Industry* (Verso, 2000) p.12
 - [6] *ibid* p.16
 - [7] Donald Bloxham, *Genocide on Trial, War Crimes Trials and the Formation of Holocaust History and Memory* (Oxford University Press 2001) p.xi
 - [8] He is Professor Emeritus of 'Holocaust Studies' in the Department of History at Toronto University and therefore someone whom Finkelstein would presumably identify as being a part of the 'Industry', as he makes a living from writing and talking about it.
 - [9] Michael Marrus, 'The Holocaust at Nuremberg' p.2, published on the Yad Vashem website http://yad-vashem.org.il/download/about_holocaust/studies/marrus_full.pdf
- [1] *ibid*, p.3
- [0]
- [1] Finkelstein, p.55
- [1]

[1] It is known and universally accepted that concentration camps had delousing facilities for
[2] clothing and bedding which used gas, as did many similar facilities all over Europe. It is important
therefore to differentiate between gas chambers for the purposes of delousing and gas chambers
for the purposes of murder, hence 'homicidal' gas chambers.

[1] Overy, *Interrogations* p.190

[3]

[1] Minutes, Meeting of World Jewish Congress with Robert H. Jackson , held at the Federal Court
[4] House New York City, Tuesday June 12, 1945, records of the World Jewish Congress, Jacob Rader
Marcus Center of the American Jewish Archives, online at the Truman
Library, [http://www.trumanlibrary.org/whistlestop/study_collections/nuremberg/documents/
index.php?documentdate=1945-06-
12&documentid=C106-16-5&studycollectionid=&pagenumber=1](http://www.trumanlibrary.org/whistlestop/study_collections/nuremberg/documents/index.php?documentdate=1945-06-12&documentid=C106-16-5&studycollectionid=&pagenumber=1)

[1] Text of Untermeyer's Address, New York Times, Monday, August 7th 1933

[5]

[1] Judea declares War on Germany!, *London Daily Express*, Friday March 4th 1933

[6]

[1] The crucifixion of Jews must stop, Martin H Glynn, *American Hebrew*, October 31st 1919

[7]

[1] Rabbi Wise's Address, New York Times, June 11th, 1900

[8]

[1] Library of Congress 2738-PS (my translation)

[9]

[2] Nuremberg Trial Proceedings Vol 3, 20th day, Friday 14th December 1945, p.570

[0]

[2] There is no evidence for this in the interrogation transcripts hence 'leap of faith'. However, we
[1] are naive in the extreme if we believe that all communication between interrogator and prisoner
would be recorded in the transcripts. Much else would have been said 'off the record'.

[2] Jeffrey Herf, *The Jewish Enemy: Nazi Propaganda During World War Two and the
[2] Holocaust* (Belknap Press, 2006) p.11

[2] The Holocaust may well have been proven more thoroughly during later trials, but that is outside
[3] the subject of this article.

[2] Overy, *Interrogations*, p.178

[4]

- [2] Overy, *Interrogations*, p.187
[5]
- [2] Marwick, Arthur, *The Nature of History* 3rd ed. (Macmillan 1989) p.216-220. Witting evidence is
[6] that deliberately collected or made solely for the purpose of being evidence. Unwitting evidence refers to documents or artifacts generated during the course of an event, which provide evidence for it without that actually having been their sole purpose.
- [2] IMT Vol.32, Doc no. 3311-PS (Library of Congress)
[7]
- [2] ibid
[8]
- [2] Nuremberg Trial Proceedings, vol. 12, 116th day, Monday 29th April 1946, p.368
[9]
- [3] Martin Gilbert's *Recent History Atlas* (1966) alleged 6,780,000 civilian casualties in Russia, Poland
[0] and Yugoslavia alone, excluding Jewish deaths. Other works like John Ellis' *World War Two Databook*, (1993) have figures slightly higher than this, others slightly lower. A useful summary of the last 50 years of statistics on the matter can be found on Wikipedia http://en.wikipedia.org/wiki/World_War_II_casualties#fn_RudOver
- [3] United States Strategic Survey Summary Report, Pacific
[1] War <http://www.anesi.com/ussbs01.htm>
- [3] AC Grayling, *Among the Dead Cities. Is the targeting of civilians in war ever justified?*
[2] (Bloomsbury 2007)
- [3] Richard Overy states unconvincingly that 'the central role of Hitler in Nazi Jewish policy was
[3] disguised by the absence of written orders.' *Interrogations*, p.183
- [3] Lucy S. Dawidowicz, *The War Against the Jews 1933-1945* (Bantam Books, 1976), p.162
[4]
- [3] The indictment did include the charge of 'systematic genocide' against 'Jews, Poles and Gypsies
[5] and others.' But it was alleged that the *Endlösung* meaning 'The Final Solution', which historians have determined to mean extermination, related only to the *Judenfrage* or Jewish question. Therefore we get the confusing picture of genocidal actions against most Eastern European civilians, but a special genocidal action against the Jews.
- [3] Overy, *Interrogations*, p. 197
[6]
- [3] In *The Holocaust Industry*, p. 3, Finkelstein refers to the obelisk as 'an ideological representation
[7] of the Nazi holocaust.'

Mark Turley is a writer from London, UK. In 2008 he published his second full length work, '*From Nuremberg to Nineveh*' from which this article is drawn. He is currently working on another project, about Anglo-American imperialism, to be published by the Progressive Press. Extracts from his books and other writings can be found at www.markturley.com

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